

**Notice of Allowability**

Application No.

09/487,962

Examiner

Nga B. Nguyen

Applicant(s)

SPECK, DIMITRI P M

Art Unit

3692

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed on September 10, 2004.
2. ☒ The allowed claim(s) is/are 1-3 and 5-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

1. This Office Action is the answer to the Amendment filed on September 10, 2004, which paper has been placed of record in the file.
2. Claims 1-3 and 5-24 are pending in this application.

***Examiner's Amendment***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in the interview with Mr. Ron Jacob on June 26, 2007.

Amending claim 17 as following: deleting the word "for" at line 4, word 5; line 8, word 5; line 12, word 4; and line 19 word 4.

***Allowable Subject Matter/Reasons for Allowance***

4. Claims **1** and **17** are allowed over the prior arts cited records.

The closest prior art is:

1) Byrne (US 6,336,862) discloses in a gambling game a collateral gambling game which can be won by players on at least one specific event occurring in the principal game, the collateral game being separate from the principal game but one when any of the possible winning events occur in the principal game, the payment to the player being calculated from the total value available for the game divided by the total

Art Unit: 3692

number of players who bet on the specific winning event. The game gives a possibility for a large number of players to share in the success of a single player who has successfully won the main game. It may be used with various types of games including those using electronic gaming machines.

In contrast, the claimed invention is not a collateral game and does not depend on standard Keno or any other gambling game. A new and unobvious method and system for reiterative betting based on Supply and Demand of betting shares, the present invention concerns all fields of real life events, e.g., sports events, stock quotes, catastrophes/insurances, elections, etc. Each of these uncertain events may have two or more potential outcomes. The claimed invention enables the participants/investors to bet on the potential outcomes against each other on the basis of supply and demand.

Therefore, it is clear from the description of Byrne's invention that the prior art does not considered the possibility of: *defining outcome share groups that correspond to  $O_1 \dots O_m$ , and issuing an equal number of outcome shares  $OS(1), \dots \sim OS(m)$  to each of the outcome share groups such that  $OS(1)=\dots=OS(m)$ ; assigning a share value  $SV$  to each of the outcome shares; assigning quote values  $Q_1, \dots, Q_m$  to each of the outcome shares such that  $Q_1=(SV*B_1)/B_{tot}, \dots, Q_m=(SV*B_m)/B_{tot}$ , **as included in claim 1;** a computing unit for issuing equal numbers  $OS(1) \dots OS(m)$  of outcome shares such that  $OS(1)=\dots=OS(m)$ , the outcome shares corresponding to the potential outcomes  $O_1, \dots, O_m$ , the computing unit assigning a share value  $SV$  to each of the outcome shares, the computing unit further assigning quote values  $Q_1, \dots, Q_m$  to each of the outcome*

Art Unit: 3692

shares  $OS(1)$  .....  $OS(m)$  such that  $QI = (SV \cdot B1) / B_{tot}$ , ...,  $Qm = (SV \cdot Bm) / B_{tot}$ , as included in claim 17.

5. Claims (2, 3, 5-16) and 18-24 are allowed because they are dependent claims of the allowable independent claims 1 and 17 above, in that order.

### **Conclusion**

6. Claims 1-3 and 5-24 are allowed.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:


(571) 273-8300 (for formal communication intended for entry),

Art Unit: 3692

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox Building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).

  
NGA NGUYEN  
PRIMARY EXAMINER

June 26, 2007